

4-19-2010

To the honorable Thomas T. Glover

I Brian Mollet of Mollet Construction oppose the motion to abandon ~~CE-13292-11~~  
In the declaration of Leonard D. Flanagan in support of abandonment page 2 section 5  
It states "in approximately June of 2008 the Mollet's insurance carrier Western Heritage  
hired counsel to defend them agents the Association's claims. The Debtors' other  
insurance Carrier, American states insurance company and its affiliate Safeco  
(collectively "American states") refused to defend them. The Debtors did not advise their  
insurance defense counsel of their pending Bankruptcy case.

I Brian Mollet on my first formal consultation with western heritage attorney at  
my office I advised him of my bankruptcy proceedings. After several phone calls  
Western Heritage advised me that Western Heritage and the association had come to an  
agreement if I signed over rights against American states I and western heritage would not  
be held liable and this would be in my best interest. I did so never having a chance to plea  
my case.

Norman Short my bankruptcy attorney was not advised because I was not in  
debt to the association. I was insured by American Insurance and then by Western  
Heritage. The Dwelling Place the developer was issued my insurance documents.

The Association states Mollet Construction was negligent and water intrusion  
was the result water intrusion is in no way a result of my scope of work. That would be  
the siders; roofers and the people that built the decks not framers

All the structural aspects my scope of work including hold downs were inspected  
by Dwelling Place supervisors and city inspectors and proven up to code and correct  
Western Heritage should have defended this action which they said they did in a phone  
conversation with me claiming it was settled. With this information it was not relevant to  
my bankruptsy , being told the matter was settled and I was insured in any case

Sincerely,  
Brian Mollet

**FILED**  
Western District of Washington  
at Seattle

**APR 20 2010**

**MARK L. HATCHER, CLERK  
OF THE BANKRUPTCY COURT**

The Honorable Thomas T. Glover  
Chapter 13

Arnold M. Willig  
Elizabeth H. Shea  
Charles L. Butler, III  
HACKER & WILLIG, INC., P.S.  
1501 Fourth Avenue, Suite 2150  
Seattle, Washington 98101-3225  
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Attorneys for Poulsbo Place Condominium Association

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

In re:

No. 08-13292-TTG

BRIAN A. MOLLET and JULIA A.  
MOLLET,

NOTICE OF HEARING ON MOTION  
TO ABANDON

Debtors.

TO: ALL CREDITORS AND PARTIES IN INTEREST;  
AND TO: THE UNITED STATES BANKRUPTCY COURT CLERK;  
AND TO: THE UNITED STATES TRUSTEE.

PLEASE TAKE NOTICE that Poulsbo Place Condominium Association (the  
"Association"), by and through counsel, Hacker & Willig, Inc., P.S. and Levin & Stein, has  
moved this Court pursuant to 11 U.S.C. § 554(b) for an Order of Abandonment concerning the  
interest of the bankruptcy estate of Brian A. and Julia A. Mollet (the "Mollets" or the  
"Debtors") in any claim against the Debtors' liability insurance carrier which was assigned to the  
Association during the course of this bankruptcy case.

The Motion IS SET FOR HEARING as follows:

JUDGE: Thomas T. Glover

TIME: 9:30 a.m.

PLACE: Courtroom 7106, 700 Stewart Street  
Seattle, WA 98101

DATE: May 7, 2010

1 Copies of the above-described motion may be obtained at the United States Bankruptcy  
2 Court Clerk's office or by contacting Arnold M. Willig at the address listed below.

3 IF YOU OPPOSE the Motion, you must file your written response with the Clerk of  
4 the United States Bankruptcy Court at the U.S. Courthouse located at 700 Stewart Street,  
5 Seattle, Washington 98101-1271, and deliver copies to Arnold M. Willig at the address listed  
6 below NOT LATER THAN THE RESPONSE DATE, which is April 30, 2010.

7 IF NO RESPONSE IS TIMELY FILED AND SERVED, the Court may, in its  
8 discretion, GRANT THE MOTION PRIOR TO THE HEARING, WITHOUT FURTHER  
9 NOTICE, and strike the hearing.

10 DATED this 13<sup>TH</sup> day of April, 2010.

11  
12 Respectfully submitted,

13 HACKER & WILLIG, INC., P.S.

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15 

16 Arnold M. Willig, WSBA # 20104

17 Elizabeth H. Shea, WSBA # 27189

18 Charles L. Butler, III, WSBA # 36893

19 Attorneys for Poulsbo Place

20 Condominium Association

21 LEVIN & STEIN

22 /s/ Leonard D. Flanagan

23 Leonard D. Flanagan, WSBA # 20966

24 Attorneys for Poulsbo Place

25 Condominium Association